

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

:
- v. -

:
SHAQUILLE PERKINS,

:
Defendant.

:
PROTECTIVE ORDER
REGARDING LAW
ENFORCEMENT PERSONNEL
AND DISCIPLINARY
RECORDS

:
19 Cr. 705 (JSR)

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JED S. RAKOFF, District Judge:

Upon the application of the United States of America, with the consent of the undersigned counsel, the Court hereby finds and orders as follows:

The Government will make disclosure to the defendant of documents, objects and information pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. §3500, and the Government's general obligation to produce exculpatory and impeachment material in criminal case that will include law enforcement records concerning disciplinary and personnel matters in connection with law enforcement officers involved in the above-captioned criminal case that are not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case, all of which will be referred to herein as "Personnel and Disciplinary Records."

NOW, THEREFORE, FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:

1. Personnel and Disciplinary Records shall not be disclosed by the defendant or defense counsel, including any successor counsel (the "Defense") other than as set forth herein, and shall be used by the Defense solely for purposes of defending this action. The Defense shall not post any Personnel and Disciplinary Records on any Internet site or network site to which persons other

than the parties hereto have access, and shall not disclose any Personnel and Disciplinary Records to the media or any third party except as set forth below.

2. Personnel and Disciplinary Records may be disclosed by counsel to:

- (a) The defendant;
- (b) Personnel for whose conduct counsel is responsible, *i.e.*, personnel employed by or retained by counsel, as needed for purposes of defending this action;
- (c) Prospective witnesses for purposes of defending this action.

3. The Government may authorize, in writing, disclosure of Personnel and Disciplinary Records beyond that otherwise permitted by this Order without further Order of this Court.

4. This Order does not prevent the disclosure of any Personnel and Disciplinary Records in any hearing or trial held in this action, or to any judge or magistrate judge, for purposes of this action. All filings should comply with the privacy protection provisions of Federal Rule of Criminal Procedure 49.1.

5. Except for Personnel and Disciplinary Records that has been made part of the record of this case, the Defense shall return to the Government or securely destroy or delete all Personnel and Disciplinary Records within 30 days of the expiration of the period for direct appeal from any verdict in the above-captioned case; the period of direct appeal from any order dismissing any of the charges in the above-captioned case; or the granting of any motion made on behalf of the Government dismissing any charges in the above-captioned case, whichever date is later.

6. If Personnel and Disciplinary Records is provided to any prospective witnesses, counsel shall make reasonable efforts to seek the return or destruction of such materials.

7. The Defense shall provide a copy of this Order to prospective witnesses and persons retained by counsel to whom the Defense has disclosed Personnel and Disciplinary Records. All

such persons shall be subject to the terms of this Order. Defense counsel shall maintain a record of what information has been disclosed to which such persons.

Retention of Jurisdiction

8. The provisions of this order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

AGREED AND CONSENTED TO:

AUDREY STRAUSS
Acting United States Attorney

By: /s/ Kevin Sullivan
Kevin Sullivan
Assistant United States Attorney

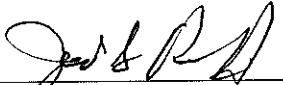
Date: October 6, 2020

Jennifer Brown
Jennifer Brown, Esq.
Julia Gatto, Esq.
Ariel Werner, Esq.
Federal Defenders of New York
Counsel for Shaquille Perkins

Date: October 6, 2020

SO ORDERED:

Dated: New York, New York
October 6, 2020


THE HONORABLE JED S. RAKOFF
UNITED STATES DISTRICT JUDGE